

## Alcohol and Tobacco Tax and Trade Bureau, Treasury

## § 4.3

### SALES OF DISTILLED SPIRITS FOR INDUSTRIAL USE

#### § 1.95 General.

Distillers, rectifiers, and other permittees engaged in the sale or other disposition of distilled spirits for non-industrial use shall not sell or otherwise dispose of distilled spirits in bulk (other than alcohol) for industrial use, unless such distilled spirits are shipped or delivered directly to the industrial user thereof.

## PART 4—LABELING AND ADVERTISING OF WINE

### Subpart A—Scope

Sec.

- 4.1 General.
- 4.2 Territorial extent.
- 4.3 Forms prescribed.
- 4.4 Delegations of the Administrator.
- 4.5 Related regulations.

### Subpart B—Definitions

- 4.10 Meaning of terms.

### Subpart C—Standards of Identity for Wine

- 4.20 Application of standards.
- 4.21 The standards of identity.
- 4.22 Blends, cellar treatment, alteration of class or type.
- 4.23 Varietal (grape type) labeling.
- 4.24 Generic, semi-generic, and non-generic designations of geographic significance.
- 4.25 Appellations of origin.
- 4.26 Estate bottled.
- 4.27 Vintage wine.
- 4.28 Type designations of varietal significance.

### Subpart D—Labeling Requirements for Wine

- 4.30 General.
- 4.32 Mandatory label information.
- 4.33 Brand names.
- 4.34 Class and type.
- 4.35 Name and address.
- 4.36 Alcoholic content.
- 4.37 Net contents.
- 4.38 General requirements.
- 4.38a Bottle cartons, booklets and leaflets.
- 4.39 Prohibited practices.

### Subpart E—Requirements for Withdrawal of Wine From Customs Custody

- 4.40 Label approval and release.
- 4.45 Certificates of origin, identity and proper cellar treatment.

- 4.46 Certificate of nonstandard fill.

### Subpart F—Requirements for Approval of Labels of Wine Domestically Bottled or Packed

- 4.50 Certificates of label approval.
- 4.51 Exhibiting certificates to Government officials.
- 4.52 Photoprints.

### Subpart G—Advertising of Wine

- 4.60 Application.
- 4.61 Definitions.
- 4.62 Mandatory statements.
- 4.63 Legibility of mandatory information.
- 4.64 Prohibited practices.
- 4.65 Comparative advertising.

### Subpart H—Standards of Fill for Wine

- 4.70 Application.
- 4.71 Standard wine containers.
- 4.72 Metric standards of fill.

### Subpart I—General Provisions

- 4.80 Exports.

### Subpart J—American Grape Variety Names

- 4.91 List of approved prime names.
- 4.92 Alternative names permitted for temporary use.
- 4.93 Approval of grape variety names.

### Subpart K—Use of the Term “Organic”

- 4.101 Use of the term “organic.”

AUTHORITY: 27 U.S.C. 205, unless otherwise noted.

SOURCE: T.D. 6521, 25 FR 13835, Dec. 29, 1960, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 4 appear by T.D. ATF-425, 65 FR 11890, Mar. 7, 2000.

## Subpart A—Scope

### § 4.1 General.

The regulations in this part relate to the labeling and advertising of wine.

### § 4.2 Territorial extent.

This part applies to the several States of the United States, the District of Columbia, and Puerto Rico.

### § 4.3 Forms prescribed.

(a) The appropriate TTB officer is authorized to prescribe all forms required by this part. All of the information

#### § 4.4

called for in each form shall be furnished as indicated by the headings on the form and the instructions on or pertaining to the form. In addition, information called for in each form shall be furnished as required by this part. The form will be filed in accordance with the instructions for the form.

(b) Forms prescribed by this part are available for printing through the TTB Web site (<http://www.ttb.gov>) or by mailing a request to the Alcohol and Tobacco Tax and Trade Bureau, National Revenue Center, 550 Main Street, Room 1516, Cincinnati, OH 45202.

[T.D. ATF-92, 46 FR 46911, Sept. 23, 1981, as amended by T.D. ATF-249, 52 FR 5955, Feb. 27, 1987; T.D. 372, 61 FR 20723, May 8, 1996; T.D. ATF-425, 65 FR 11890, Mar. 7, 2000; T.D. TTB-44, 71 FR 16920, Apr. 4, 2006]

#### § 4.4 Delegations of the Administrator.

Most of the regulatory authorities of the Administrator contained in this part are delegated to appropriate TTB officers. These TTB officers are specified in TTB Order 1135.4, Delegation of the Administrator's Authorities in 27 CFR Part 4, Labeling and Advertising of Wine. You may obtain a copy of this order by accessing the TTB Web site (<http://www.ttb.gov>) or by mailing a request to the Alcohol and Tobacco Tax and Trade Bureau, National Revenue Center, 550 Main Street, Room 1516, Cincinnati, OH 45202.

[T.D. TTB-44, 71 FR 16920, Apr. 4, 2006]

#### § 4.5 Related regulations.

The following regulations also relate to this part:

27 CFR Part 205—National Organic Program  
27 CFR Part 1—Basic Permit Requirements Under the Federal Alcohol Administration Act, Nonindustrial Use of Distilled Spirits and Wine, Bulk Sales and Bottling of Distilled Spirits  
27 CFR Part 5—Labeling and Advertising of Distilled Spirits  
27 CFR Part 7—Labeling and Advertising of Malt Beverages  
27 CFR Part 9—American Viticultural Areas  
27 CFR Part 12—Foreign Nongeneric Names of Geographic Significance Used in the Designation of Wines  
27 CFR Part 13—Labeling Proceedings  
27 CFR Part 16—Alcoholic Beverage Health Warning Statement  
27 CFR Part 24—Wine

#### 27 CFR Ch. I (4–1–06 Edition)

27 CFR Part 26—Liquors and Articles From Puerto Rico and the Virgin Islands

27 CFR Part 27—Importation of Distilled Spirits, Wines, and Beer

27 CFR Part 28—Exportation of Alcohol

27 CFR Part 71—Rules of Practice in Permit Proceedings

[T.D. ATF-483, 67 FR 62857, Oct. 8, 2002, as amended by T.D. TTB-8, 69 FR 3829, Jan. 27, 2004]

### Subpart B—Definitions

#### § 4.10 Meaning of terms.

As used in this part, unless the context otherwise requires, terms shall have the meaning ascribed in this part.

*Act.* The Federal Alcohol Administration Act.

*Added brandy.* Brandy or wine spirits for use in fortification of wine as permitted by internal revenue law.

*Administrator.* The Administrator, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, Washington, DC.

*Advertisement.* See § 4.61 for meaning of term as used in subpart G of this part.

*Alcohol.* Ethyl alcohol distilled at or above 190° proof.

*American.* The several States, the District of Columbia, and Puerto Rico; “State” includes the District of Columbia and Puerto Rico.

*Appropriate TTB officer.* An officer or employee of the Alcohol and Tobacco Tax and Trade Bureau (TTB) authorized to perform any functions relating to the administration or enforcement of this part by TTB Order 1135.4, Delegation of the Administrator's Authorities in 27 CFR part 4, Labeling and Advertising of Wine.

*Bottler.* Any person who places wine in containers of four liters or less. (See meaning for “containers” and “packer”.)

*Brand label.* The label carrying, in the usual distinctive design, the brand name of the wine.

*Container.* Any bottle, barrel, cask, or other closed receptacle irrespective of size or of the material from which made for use for the sale of wine at retail. (See meaning for “bottler” and “packer”.)

*Gallon.* A U.S. gallon of 231 cubic inches of alcoholic beverages at 60 °F.